

CITY OF HORSESHOE BAY

CITY COUNCIL PUBLIC MEETING AND PUBLIC HEARINGS

May 15, 2007

The Council of the City of Horseshoe Bay held a Public Meeting and Public Hearings at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, May 15, 2007, in accordance with duly posted notice of said meeting. Mayor Bob Lambert called the meeting to order at 3:00 p.m. with a quorum of Council Members present as follows:

Robert W. Lambert, Mayor
James E. Babcock, Mayor Pro Tem
John Bird, Alderman
Karen Wines, Alderwoman
Jeff Robinson, Alderman

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered with the agenda subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum: Mayor Bob Lambert called the Public Meeting to order at 3:00 p.m. with a quorum present. Larry Sherwood from the Church at Horseshoe Bay led the invocation. Mayor Lambert led the pledge of allegiance to the United States Flag and the Texas Flag.
2. Comments from Mayor: Mayor Lambert stated both of the Sales Tax items passed by a large margin. The 1% item passed by 80% and the ½% item by 84%. The sales tax will go into effect October 1, 2007. He thanked Jerry Dunn, Bob Lowry and Neal Younker for their excellent work on the Sales Tax Committee.
3. Comments from Aldermen: There were no comments from the Aldermen.
4. Public Comments: There were no public comments.
5. Presentation of Staff Five-Year Service Award: Jeff Isom was unable to attend this meeting to receive his Service Award.
6. Items to be Removed from the Consent Agenda: There were no items removed from the Consent Agenda.
7. Consent Agenda Items:
 - a. Minutes of the April 17, 2007 Public Meeting and the May 8, 2007 Public Ceremony
 - b. Request to Vacate Replat of Lot Nos. 63-A and 66-A, Horseshoe Bay Applehead Island Plat No. 1.63 and a .005 Acre Tract known as Horseshoe Bay Applehead Island Plat No. 1.63 A, Llano County, Texas

- c. Request to Vacate Replat of Lot Nos. W17020A and W17020B, Horseshoe Bay West, Plat No. W17.6, Llano County, Texas
- d. Request for Release of Easements on Peninsula Legacy Lot #10, Burnet County, Texas
- e. Safety Golf Tournament
- f. Acceptance of Donation to Fire Department; and Authorize Disbursement of Donation
- g. Award of Contract for the SCADA Expansion Project. City Job # 07-14171

Alderman Wines made the motion to approve the Consent Agenda items. Alderman Robinson seconded the motion. The motion passed unanimously (4-0).

8. Lifestyle Committee Ordinance Recommendations: Mayor Lambert said Jim Long, Chairman, and Ilene Perkett are available for questions if needed.

a. Parking Ordinance: Jim McCarty, local builder, addressed the Council regarding the Parking Ordinance and explained the various stages of building residential structures and the need for contractors to be able to park onsite in order to access their tools in their vehicles. He had no objection to the ordinance. Alderman Babcock noted in Section 10.C.(1) he would like to cross reference the truck definition with other definitions in the ordinance to read the same. Alderman Bird questioned Section 6.A. Minimum number of parking spaces required for persons with disabilities. City Attorney Akers said adding “associated with that property” after parking spaces would clarify this issue. Alderman Bird said in Section 12.A. the language describing the location of the right-hand wheels in relation to the curb or edge of a roadway is an undefined term and asked if this could be stated in a better way. Chief Lane suggested changing it to read “as close to”. Alderman Babcock suggested passing the ordinance with the suggested changes and revisiting the item in a couple of months if the builders are having problems with compliance. Alderman Bird made the motion to approve the parking ordinance with the changes as discussed. It was added that the Contractor can ask for special permission regarding parking, if needed when applying for the building permit. The motion was seconded by Alderman Robinson. The motion passed unanimously (4-0).

- b. For Discussion Only
 - i. Antenna
 - ii. Illumination - Street Lighting
 - iii. Signs, Billboards or Advertising Objects
 - iv. Outdoor Burning
 - v. Litter/Sanitation/Unsightly Objects

Mayor Lambert stated he would like to remove the ordinance concerning signs due to the fact two parties have asked to meet with the Lifestyle Committee to make suggestions. The Committee has agreed to the meeting and will bring this item back to the Council at the next meeting. The Council discussed each of the remaining Ordinances. The Lifestyle Committee is going to reconsider allowing placement of trash containing edible residue in containers other than in animal proof containers and make a final recommendation to the Council at the next meeting. Mayor Lambert stated these will be on the June 19th agenda for action by the Council.

9. Preliminary Plats:

- a. Replat of Lot No. 50008, Horseshoe Bay Plat No. 50.1, to be known as Horseshoe Bay Plat No. 50.5, a Replat of Lot No. 50008 of Horseshoe Bay, Plat No. 50.1, Llano County, Texas (200 Half Moon)
- b. Replat of Legacy 7, The Peninsula, to be known as a Replat of Legacy 7, The Peninsula, Burnet County, Texas (108 Estate Drive)
- c. Replat of Lot No. 8026, Horseshoe Bay Plat No. 8.1, to be known as Horseshoe Bay Plat No. 8.7, a Replat of Lot No. 8026 of Horseshoe Bay Plat No. 8.1. Llano County, Texas (107 Woodhill B.)
- d. Replat of Lot Nos. C-1 through C-13 of Escondido, Plat No. 1.10 to be known as Escondido, Plat No. 1.12, Llano County, Texas
- e. Replat of Lot Nos. C-15 through C-35 of Escondido, Plat No. 1.8 to be known as Escondido, Plat No. 1.13, Llano County, Texas
- f. Replat of Lot Nos. C-37 through C-49 Escondido, Plat No. 1.9 to be known as Escondido, Plat No. 1.14, Llano County, Texas
- g. Replat of Lot Nos. C-51 through C-68 of Escondido, Plat No. 3.2 to be known as Escondido, Plat No. 3.3, Llano County, Texas

Mayor Lambert stated due to some procedural matters, Item 9.a. and 9.c. have both been removed from consideration. Alderman Bird asked for explanation on 9.b. concerning the buildable area on this lot due to the 100 year flood plain. General Manager Thuss stated the Zoning Ordinance allows fill, build-up or placing the structure on piles in this area in order to make the buildable area an adequate size. When a building permit is requested for this lot, they will be required to show that the slab will meet the flood plain and zoning ordinance requirements and it is possible the owners may be required to get something from LCRA. He also stated 9.a. will be back on a future agenda for consideration; however 9.c. will not. Alderman Robinson made the motion to approve the remaining five (5) preliminary plats. The motion was seconded by Alderman Bird. The motion passed unanimously (4-0).

10. Zoning Ordinance Requirements for Horseshoe Bay South: Mayor Lambert said this item deals with the Zoning Ordinance related to Horseshoe Bay South. He said he had discussed this with Tom Engler when they were working on the zoning ordinance a year ago and it somehow did not get addressed in the final document. Mr. Engler said he thought the intent was there, it just did not get included. The Deed Restrictions allow composite shingles in this area, and he would recommend the ordinance be revised to allow these. He added the Deed Restrictions have the minimum living area as 1,200 square feet and in the zoning ordinance it was changed to 1,800 square feet and most of the existing houses are 1,400-1,500 square feet. The builders say a larger house in this area will not sell. The masonry requirements should be the same as the Deed Restrictions which are 50% masonry on the street facing sides and some masonry on the remaining sides. Garages would have a minimum of 200 square feet which is a single car garage, and is the same as the Deed Restrictions. According to Tom Engler, there are about 1,200 R-1 lots in that area of HSB South on which he recommends changing the zoning requirements. Such amendments will be considered at a future Council meeting.

11. General Manager's Report: General Manager Thuss presented his report to the Council, a copy of which is attached and made a part of these minutes. Jay Middleton gave a recap of the Central Water Treatment Administration Building status and cost. Overall the project was under

budget. Mayor Lambert complimented Jay on a job well done. Mr. Thuss stated they had interviewed three candidates for Director of Public Works and should have an offer ready to go today. There are five candidates for the Development Services Manager, and he stated if any of the Council would like to review these applications and assist with the decision of which ones to interview he would be happy for them to do so. TCEQ inspected the water plants on April 25th and they were all found to be in exceptional shape. He would like to recognize the Plant staff for their efforts. There have been calls regarding the smell in the drinking water, and Jay Middleton has met with TCEQ to work on a solution. The problem has been narrowed down to using chloramine which the City recently switched over to. After using chloramine for a period of time ammonia builds up in the lines and when the lines heat up in spring and summer the ammonia is released. TCEQ recommends converting back to free chlorine for a period of approximately 4 weeks and then convert back to chloramine. The water is safe to drink. In order to avoid the same problem next year the City will do this conversion to chlorine earlier in the year before the lines heat up and release the ammonia. Mr. Bird asked about the status of the capital report from Naismith Engineering. Mr. Thuss stated he would check on this.

12. Speed Limits: Mayor Lambert said the Council has a draft of an email that will be sent to all people signed up to receive these on the City's website as well as the HSB POA's website. There will also be an item on the City's website where the residents can give their input by picking an option. They would also be able to give written input. He thanked John Robinson for his help with designing the City's website as well as the websites for the HSB POA and the Church at HSB. This will go live on the City's website Wednesday, May 16th.

13. FY 2007 Budgets: General Manager Mike Thuss summarized the budget report. He stated Toni Vanderburg and he sat down with the Utility Department and basically the problem is with electricity and garbage expense. There is a possibility, if there is not as much rain and water sales increase for June, July, August and September, then the Utility Fund could make more money than in the budget. He also said if this doesn't happen then some of the Capital Improvement Projects could wait to award the contract until the 2008 fiscal year. Another alternative would be to transfer needed funds from the General Fund in order to go ahead and award the contracts. The third alternative would be the \$500,000 remaining in the construction fund for the water treatment plant. Mayor Lambert and Alderman Rantzow have investigated and they have concluded that the City can transfer that money out of the construction investment account to pay for costs on the water treatment plant paid by Lake LBJ MUD prior to the beginning of construction on the plant. Mr. Thuss feels like the City is still in good shape and the staff will continue to monitor the budget very carefully for the remainder of the year. Mayor Lambert added that funds are transferred from the General Fund to the Utility Fund for any cash flow needs it might have. The budget is for \$1,566,000. If the \$500,000 is transferred now, there will simply be \$500,000 less transferred from the General Fund to the Utility Fund.

14. Canvass and Tabulate Votes from the May 12, 2007 Special Election: Mayor Lambert stated the City had two sales tax items on the ballot and each Council member has copies of the vote tabulation results certified by the Llano County Clerk, Bette Sue Hoy, which reflect the totals by precinct for early voting, as well as election day, for each proposition. Proposition 1 was a 1% Sales and Use Tax and the totals were For-522, Against-130, total votes cast-652. Proposition 2 was the adoption of an additional Sales and Use Tax of ½ of 1% to be used to reduce the Property Tax Rate. Totals were For-549, Against-102, total votes cast-651. Alderman Babcock

made the motion to approve the results of the Special Election. The motion was seconded by Alderman Robinson. The motion passed unanimously (4-0).

15. Ordinance Declaring the Results of the May 12, 2007 Special Election: This item is required by the State of Texas for a Sales Tax election. Alderman Babcock made the motion to approve the ordinance declaring the results of the special election. The motion was seconded by Alderman Robinson. The motion passed unanimously (4-0).

16. Schedule a Meeting to Canvass and Tabulate Votes from the May 12, 2007 Special Election In the Event That the Necessary Information is Not Received by the Date of This Meeting: No action was taken on this item.

17. Adjournment: Alderman Robinson made the motion to adjourn the meeting at 4:36 p.m. Alderwoman Wines seconded the motion. The motion passed unanimously (4-0).

APPROVED this 19th day of June, 2007.

/S/
Robert W. Lambert, Mayor

ATTEST:

/S/
Toni Vanderburg, City Secretary